

"Yes, I had several *noms de guerre* while I was carrying out the terrorist attacks, such as [REDACTED] [REDACTED] [REDACTED] [REDACTED] ... and also I took ... two old [anti-]tank missiles in order to take the explosives out of them and to use the explosives to make explosive charges, and I used the explosive charges on the bypass road at Zuata ... I recruited him (the reference is to a person named [REDACTED] into the *Kitaab Shuhadaa al-Aqsa*, about two months ago, and the purpose of recruiting him into the *Kitaab Shuhadaa al-Aqsa* was in order for him to assist us in terrorist attacks in the Jerusalem area, and in order for him to introduce suicide attackers [*mustashahids*] into Jerusalem. I also asked [REDACTED] to teach us how to manufacture explosives that were stronger than the explosives we were using, and [REDACTED] explained to me over the phone how to produce a certain material [*umm al-abd*], and I told him that we already know how to produce *umm al-abd* ... About a month and a half ago, I asked [REDACTED] to check out a way of introducing a suicide bomber into Jerusalem ... and my role was to coordinate between [REDACTED] and [REDACTED] in order to introduce the suicide attacker into Jerusalem. That terrorist attack was carried out, but without success, because policemen shot the suicide attacker before the terrorist attack ... [REDACTED] asked me to agree to accept a call from a certain person, and a few days after that, [REDACTED] [REDACTED] who is known as [REDACTED] called me and asked us to continue perpetrating terrorist attacks and offered me financing, and I expressed my consent, and I gave [REDACTED] my bank account number in the Arab Bank in Nablus, in order for him to transfer money to me. In fact, [REDACTED] transferred money to me about six times, and deposited \$3,000 or \$5,000 ...

Q. What did you do with the money that [REDACTED] transferred to you?

A. In order to perpetrate terrorist attacks ... According to the agreement with him, he used to provide me with money for the perpetration of terrorist attacks, and I would report to him on the attacks in conversations which I held with him by telephone and over the Internet ... I spoke with him about many terrorist attacks ... and I also reported to him on the suicide attack in Jerusalem and in Hadera, which we carried out ...

Q. What military connections existed between you and [REDACTED]

A. After the outbreak of the al-Aqsa intifada, [REDACTED] enlisted in the *Kitaab Shuhadaa al-Aqsa*, and I asked [REDACTED] to participate in terrorist attacks with us, and [REDACTED] agreed to the proposal. I gave him an M-16 weapon, and [REDACTED] carried out a shooting attack with the weapon which I gave him. The shooting attack was directed at an Israeli vehicle on the bypass road east of Nablus, and according to [REDACTED] the vehicle was not hit ...

Q. Did Yasir have any contact with suicide bombers?

A. Yes, [REDACTED] and I worked together to send out suicide attackers with [REDACTED] and [REDACTED] ... If we needed anything, such as photographing the suicide bombers or distributing posters, we would use [REDACTED] About two weeks before the army came into Nablus, I

[Stamp] P 5: 255

Felony Case (Tel Aviv) 1137/02State of Israel v. Nasser Mahmoud Ahmad Aweis

asked [REDACTED] to try to obtain an explosive belt for a suicide bomber, in order to carry out a terrorist attack within Israel. [REDACTED] in fact, brought an explosive belt, and we gave it to a suicide bomber, who traveled with another person in order to perpetrate a terrorist attack in Israel, and when he got to Baqa al-Gharbiya, soldiers shot at him and they were both killed ...

[Q.] What kind of vehicle did the suicide attackers travel in?

A. I do not know, but I gave [REDACTED] NIS 3,500 in order for him to buy a stolen car to transport the suicide attackers, and [REDACTED] went with them to Tulkarm and showed them the way and came back by public transportation ...”

In his statement, P/7, he answered questions as follows:

“... And [REDACTED] contacted me about this, because we are a military squad, and I expressed my consent to that terrorist attack ... It should be noted that [REDACTED] contacted me, because I am in charge of *Kitaab Shuhadaa al-Aqsa* ... and after I heard on the radio that they were killed, I called the media and I told them that this terrorist attack was carried out by *Kitaab [Shuhadaa] al-Aqsa* ... but when I announced that we were taking responsibility for the terrorist attack, [REDACTED] told me the names ... I was also involved in the shooting attack in Netanya which was perpetrated by suicide attacks – I do not know their names. Two days before that terrorist attack, [REDACTED] called me and told me that he could bring two people into Israel, in order for them to carry out a suicide action, and I called [REDACTED] and asked him if he could bring in suicide attackers and he answered in the affirmative. I gave [REDACTED] two grenades and [REDACTED] gave them two M-16 weapons, and [REDACTED] photographed them and explained to them about the terrorist attack ... Several hours later, we heard on television that fire had been exchanged between the suicide attackers and police forces near a hotel in Netanya, and that civilians

[Stamp] P 5: 255 [continued]

and policemen had been wounded in the attack, and two people had been murdered, and two others had been killed by the police. I called the media and took responsibility for the terrorist attack ...”

And in statement P/8:

“Q. Did you have contacts with [REDACTED]

A. Yes ... and I made contact with him and asked him to carry out military operations ...

Q. What did [REDACTED] do with the explosive charges which you gave him?

A. For terrorist attacks, and I do not remember where the attacks were carried out.

Q. Do you know a man named [REDACTED]

A. I know him ... He asked me for an explosive charge, so as to carry out a terrorist attack on an Israeli military patrol, and I agreed, and I gave him an explosive charge which I had received ...

Q. Do you know a man named [REDACTED]

A. ... and I took about 20 pistols and 20 Kalashnikov rifles from [REDACTED] through [REDACTED] and ... an M-16, and I used to pay for those weapons out of my own money ...”

In his confession before the judge in arrest court, and as may be seen from the offenses imputed to him in the petition to extend the arrest order (P/23), the Defendant confessed to membership in a hostile organization, *Kitaab Shuhadaa al-Aqsa*, which belongs in Tanzim Fatah; participation in shooting attacks directed against Israeli targets in Samaria; involvement in recruiting suicide bombers; and sending them into Israel – suicide bombers who perpetrated murderous terrorist attacks. He also confessed to recruiting additional activists for the perpetration of terrorist attacks and the manufacture of explosives and explosive charges.

A witness for the prosecution, [REDACTED], sets forth in his statement, P/12: “I confess that, during the month of April 2001, Nasser Aweis proposed that I enlist in *Kitaab Shuhadaa al-Aqsa* and I agreed to that proposal, and since then, I have been an active member in the [Kitaab] *Shuhadaa al-Aqsa* organization, which belongs to Tanzim Fatah, and [I am still a member] to this day. After I joined that organization, Nasser Aweis asked me to distribute posters on behalf of [Kitaab] *Shuhadaa al-Aqsa*, and I did it ... and after that, I started to be involved in military activity. I participated in shooting attacks directed against the army, and I participated in laying explosive charges, and I also participated in preparing a number of suicide bombers and sending them to Israel to carry out suicide bombings ... Nasser Aweis is a resident of the Balata camp; he is about 29 years old and is also known as al-Hajj Rawaq, and he

[Stamp] P 5: 256

Felony Case (Tel Aviv) 1137/02State of Israel v. Nasser Mahmoud Ahmad Aweis

is one of the people in charge of the *Kitaab Shuhadaa al-Aqsa*, and he was my superior in the organization, and Nasser works for the National Security in Nablus and belongs to Tanzim Fatah ... The members of the group which I joined in *Shuhadaa al-Aqsa* are 1. Nasser Aweis – who was in charge of the *Kitaab Shuhadaa al-Aqsa* ...”

In his statement, P/13, [REDACTED] states as follows: “I confess that, during the month of March, about a month ago, Nasser Aweis asked me to transport a suicide bomber from Nablus ... in a stolen Pontiac which I received from Nasser ... I notified [REDACTED] that I do not know how to manufacture explosive charges, and therefore I took him to Nasser Aweis in the Balata camp and I asked Nasser to get hold of two explosive charges for him, and then Nasser called [REDACTED] Titi ... About an hour later, [REDACTED] came and brought two explosive charges with him ... and after that, [REDACTED] received the explosive charges and each of us went home, and three days later, I heard that [REDACTED] had carried out a terrorist attack on a military jeep ... Because [REDACTED] had contacted me several times, I notified [REDACTED] who gave his approval for me to go on planning a suicide bombing for [REDACTED] and therefore I met with [REDACTED] and asked him to carry out a combined attack ... A week later, [REDACTED] got back to me and told me that he agreed

[Stamp] P 5: 256 [continued]

to my proposal, provided that he would be joined by two of his friends, [REDACTED] and [REDACTED] [REDACTED] So I contacted Nasser and told him what [REDACTED] had asked, and Nasser asked me to check whether the three of them were serious about their intention of carrying out a suicide attack ... After I trained them in firing an M-16, I videotaped [REDACTED] and [REDACTED] in my house, with each one holding an M-16, and with a Palestinian flag and the flag of [Kitaab] *Shuhadaa al-Aqsa* behind them, and [REDACTED] read out the will that Nasser had sent ... That same day, I reported to Nasser Aweis that I had a suicide attacker with me, and Nasser asked to meet that terrorist. The next day, I took [REDACTED] to a studio in Nablus to have his picture taken, and from there to Nasser Aweis's house, and I left him there. Two days later, Nasser asked me to purchase a car with Israeli license plates, and I bought a stolen black Mitsubishi for NIS 3,500 ... I got the money for the car from Nasser Aweis. After I bought the car, I went to Nasser's house with the car, and there I met Nasser and [REDACTED] ... I was surprised to find another person there, named [REDACTED] ... And then Nasser Aweis told me that those two people, [REDACTED] and [REDACTED] [REDACTED] were about to go out and perpetrate a suicide attack in Israel. At that point, Nasser gave [REDACTED] an M-16 weapon, and he gave [REDACTED] two hand grenades ... About a year ago, Nasser Aweis asked me to buy him two bags of chemical fertilizer for the purpose of preparing explosive charges ... I bought them ... and I gave them to Nasser Aweis for the purpose of preparing explosive charges ... About a year ago, I purchased two M-16 rifles ... I got the money for those weapons from Nasser Aweis ...

Q. Where did you used to get the money for expenses for the military activity?

A. Nasser Aweis was in charge of me on behalf of [Kitaab] *Shuhadaa al-Aqsa*."

In his statement, P/18: "The plan for the perpetrators of the suicide attack inside the central bus station in Hadera was that [REDACTED] and I ... and Nasser Aweis had the idea of sending one or two suicide bombers to carry out an integrated terrorist attack involving shooting followed by bombing, with an explosive charge that they would carry on their person. This would have a great effect and would cause mass casualties. Nasser Aweis took it upon himself to recruit the suicide bomber, and I took it upon myself to find an Israeli who would help introduce the suicide bomber into Israel ... In the end, we did not manage to carry out that terrorist attack ... [REDACTED]

[REDACTED] told me ... that he had noticed a number of religious people concentrating in a synagogue [illegible, probably "between"] Baqa al-Gharbiya and Hadera, and he suggested that we should organize a suicide bombing there. I agreed, and I notified Nasser Aweis, who was in charge of me, and he said 'OK, we'll take it into account,' but in the end, it did not work out. In addition, [REDACTED] and [illegible, probably "Nasser"] Aweis and I talked about the possibility of carrying out a terrorist attack on the main fuel station in Israel, by waiting for a fuel tanker to arrive to distribute fuel in Nablus and placing an explosive charge in the tanker without the driver noticing – an explosive charge connected to a mobile phone – and later, when the tanker re-entered the main station, the explosive charge would be set off by calling the mobile phone connected to it. This was only a plan; it was not carried out ... I thought we would carry out a terrorist attack on the Ministry of Defense in Tel

[Stamp] P 5: 257

Felony Case (Tel Aviv) 1137/02State of Israel v. Nasser Mahmoud Ahmad Aweis

Aviv. I talked about it with Nasser Aweis and [REDACTED] and we decided to look for trained activists who would carry out such a terrorist attack ... I would bring the weapons from Nasser Aweis every time anyone went out to perform a terrorist attack ...”

And in statement P/20: “... I am certain that [REDACTED] knew the rifles were intended for suicide attackers who were going out to perform terrorist attacks within Israel, because [REDACTED] is the confidant of Nasser Aweis, and that [REDACTED] was the one who wrote the posters for Nasser Aweis – the posters taking responsibility for terrorist attacks which were planned by Nasser Aweis ...”

The witness [REDACTED] states, in statement P/40A: [REDACTED] contacted me and told me that he was planning to set up a military squad belonging to Tanzim Fatah. He suggested that I enlist in the military squad, and [REDACTED] said that the purpose of setting up the squad was to carry out terrorist attacks against the Israeli army in the Nablus area. I agreed [illegible, probably “to this”] and, within the framework of the military squad, I participated in 10 shooting attacks directed against Saqen in the Nablus area. Participating in the shooting attacks along with me was ... Nasser Aweis, about 35 years old, from the Balata camp, who was in charge of the Tanzim in Nablus ...”

Q. Who used to plan and prepare for the perpetration of the terrorist attacks in which you participated?

A. Nasser Aweis was the one who used to plan for the perpetration of the terrorist attacks, and he was the one who used to supply us with the weapons ...”

[Stamp] P 5: 257 [continued]

And in statement P/40B: "In the beginning of October 2001, [REDACTED] and I met with Nasser Aweis ... and there Nasser offered to teach us how to prepare explosive charges for the purpose of carrying out terrorist attacks and supplying explosive charges to others in the Tanzim Fatah. After [REDACTED] and I had consented to this, Nasser Aweis came to us, to the apartment where [REDACTED] and I live, in Rafidiya, and Nasser Aweis had explosives in his possession, in five bags, 10 kg in each bag. He also had about 10 gas cylinders of various sizes in his possession, as well as electric wires and batteries, and in the apartment, Nasser Aweis taught us how to prepare an explosive charge and set it off. Nasser also taught us how to prepare explosives from the following materials: 1. Agricultural fertilizer containing potassium, 2. Sulfur, 3. Charcoal ... Nasser Aweis provides [sic] us with the materials required for preparation of the explosive charges ... The apartment in Rafidiya served for the preparation of explosives and charges ... We used to give the explosive charges which we prepared to people from Tanzim, for the purpose of carrying out military terrorist attacks against Israeli targets in the West Bank ..."

In statement P/40C: "Q. In your first statement, you stated that Nasser Aweis was the one who used to plan the perpetration of the terrorist attacks and that he was in charge of Tanzim Fatah in Nablus. Did you use to inform Nasser Aweis of the perpetration of the terrorist attacks in which you participated, and of the terrorist attacks which were performed by others with whom you were in contact in Tanzim Fatah?

A. Yes, [REDACTED] and I would inform Nasser Aweis of every terrorist attack we carried out, as well as other terrorist attacks which were carried out by other people with whom we were in contact ...

Q. Were you in contact with [REDACTED]

A. No, I had no contact with him. Nasser Aweis had contact with [REDACTED] and he would inform [him] of the terrorist attacks which were carried out against Israeli targets ..."

And in statement P/40D: "About a month after the terrorist attack on the settlement of Gid'onim, [REDACTED] came to me and asked me for the M-16 rifle, which I had taken from the guard whom I murdered in Gid'onim. I gave the weapon to [REDACTED] to use in a terrorist attack, and he returned the weapon to me the next day and told me what he had done with the weapon. I would like to add that Nasser Aweis took the M-16 weapon from me twice, in order for Tanzim activists to use it, and in September 2001, Nasser Aweis took the weapon from me for the purpose of placing an explosive charge ... and this was carried out by [REDACTED] an activist in Force 17 ... In October 2001, Nasser Aweis took the weapon from me for a shooting [attack] ... [on] a military position ..."

[Stamp] P 5: 258

Felony Case (Tel Aviv) 1137/02State of Israel v. Nasser Mahmoud Ahmad Aweis

The witness [REDACTED] sets forth, in his statement P/43A: "Q. Why did you call Nasser Aweis? A. Because he is in charge of *[Kitaab] Shuhadaa al-Aqsa* and he does things like that. I asked Nasser Aweis if he could help me by bringing me someone who wanted to carry out a terrorist attack, and I would send him to Jerusalem to carry out a terrorist attack there, and Nasser said he would send me someone ...

In statement P/43C: "After I telephoned Nasser Aweis and told him about the terrorist attack (this was the terrorist attack described in the first count of this indictment, which took place in the Seafood Market restaurant), because Nasser Aweis is in charge of *Kitaab Shuhadaa al-Aqsa* ... Q. Tell me where the money for this activity came from. A. I gave Nasser Aweis my bank account number, and he deposited about 7,000 shekels in my account ...

Q. Tell me about your contacts with Nasser Aweis.

A. I had Nasser Aweis's mobile phone number, and we would talk on the phone about the operations, and [REDACTED] knew about those contacts and that we used to talk. One day, Nasser told me that he would send [REDACTED] to me, and that I should prepare him and send him out to carry out a suicide bombing ... Then [REDACTED] told me that [REDACTED] had told him not to give me money and weapons at that time. I told Nasser Aweis that, and he said that that was all right, that we would go on, and that he would bring the weapons and money. I remember that Nasser Aweis told me that he had other people who wanted to carry out suicide bombings, and that he would send them to me ..."

[Stamp] P 5: 258 [continued]

And in statement [P/]43D: "That night, when the terrorist attack took place at the event hall in Hadera ... I called Nasser Aweis, and he told me that he was in charge of that terrorist attack that is, that *Kitaab Shuhadaa al-Aqsa* had carried out that attack. I agreed with Nasser Aweis that, the next day, he would give me a poster stating that he was taking responsibility for the terrorist attack. The next day, Nasser sent me the poster by fax and I photocopied it 1,000 times and distributed it in Ramallah ..."

In statement P/43E: "I, [REDACTED] use the *nom de guerre* of France, and I was responsible for *Kitaab Shuhadaa al-Aqsa*, together with Nasser Aweis ..."

The witness [REDACTED] stated, in his statement P/47A: "Nasser Aweis is in charge of *Kitaab Shuhadaa al-Aqsa*, and he is wanted in Israel. In September 2001, Nasser Aweis called me and asked me to prepare a poster for him, for the first anniversary of the al-Aqsa intifada ... I prepared such a poster and I gave it to Nasser, at his house in Balata. In addition, after the death of [REDACTED] Nasser Aweis used to call me after terrorist attacks and asked me to write posters, in which *Kitaab Shuhadaa al-Aqsa* took responsibility for the terrorist attacks, and I agreed ... After a terrorist attack took place, Nasser Aweis would call me and tell me where the attack was and who the young man who carried out the suicide bombing was, and I would prepare the posters and would write that *Kitaab Shuhadaa al-Aqsa* took responsibility for the terrorist attack. After that, I would transfer the poster to Nasser Aweis, and he would send it out to journalists by fax. Q. You told me before that Nasser Aweis was in charge of *Kitaab Shuhadaa al-Aqsa* in Balata and was wanted in Israel. Can you tell me about Nasser Aweis's fellow members of the terrorist squad? A. They are a squad of *Kitaab Shuhadaa al-Aqsa*, and Nasser Aweis was in charge of the squad."

And in P/47B: "About three weeks ago, Nasser Aweis called me and asked me to get him two explosive belts urgently, for a suicide bombing. Nasser Aweis told me to bring explosive belts from another person, and not from [REDACTED] because the explosion produced by an explosive belt that [REDACTED] prepared was too weak. They had tried out such an explosive belt, and the explosion was weak ... I contacted [REDACTED] because he has a friend who knows how to manufacture explosive belts ... Two days later, [REDACTED] told me that [REDACTED] had prepared one explosive belt for us ... and I transferred it to [REDACTED] .."

In P/47C: "In the beginning of 2001, I was in Nasser Aweis's home in the Balata refugee camp, and there, Nasser Aweis proposed that I enlist in the al-Aqsa Martyrs' Brigades for military activity, and I agreed. Q. Did Nasser Aweis tell you [plural] what military activity you were supposed to carry out? A. Yes, he said that we would be carrying out terrorist attacks against Israeli targets, and then he proposed that we carry out a terrorist attack involving an explosive charge and shooting, against a military vehicle ... "

[Stamp] P 5: 259

In P/47D: "About a month and a half ago, I called the mobile phone of Nasser Aweis, who is in charge of the Tanzim - *Kitaab Shuhadaa al-Aqsa* in Nablus ... and I suggested to Nasser that Tel Hashomer Hospital in Israel was a good place for a terrorist attack. I had heard that there were Israeli soldiers in Tel Hashomer Hospital, and therefore I suggested carrying out a terrorist attack there. Nasser told me to forget about that for the time being, and asked me to talk about it with [REDACTED] a man in his twenties, a senior activist in the Tanzim, Nasser Aweis's assistant ... About two months ago, in the evening, Nasser Aweis contacted me - I told you about him - and asked me to contact GAP [sic] activists and check with them about helping to carry out military activity and terrorist attacks. I told Nasser that I knew a GAP [sic] activist ... Nasser told me to go to him. I met with ... and I told him that I worked with Nasser Aweis ... "

And in statement P/47E: "... [REDACTED] told me that he had a man who was willing to carry out a suicide attack. So after a few minutes, I called Nasser Aweis and told him that there was a suicide attacker who was willing to carry out a suicide attack, and Nasser Aweis

[Stamp] P 5: 259 [continued]

instructed me that the man should go to Ramallah ... After about a week, or five days, I heard on the news that a suicide attacker named [REDACTED] from Nablus, had perpetrated a shooting attack in the area of [illegible] ... in Jerusalem, and two Jews had been killed in that terrorist attack and others had been wounded, and [REDACTED] had been wounded and was in severe condition, because he had been shot by the soldiers. After the news, on the day of the terrorist attack, Nasser Aweis called me and told me that the perpetrator was [REDACTED] an activist in the Tanzim, and instructed me to prepare a poster on behalf of *Kitaab Shuhadaa al-Aqsa*, stating that the organization was taking responsibility ... “

Pursuant to Section 1 of the Prevention of Terror Ordinance, 5708 - 1948, “a ‘Terrorist Organization’ is an assemblage of persons which, in its operations, makes use of acts of violence which are likely to cause the death or injury of a human being, or threatens such acts of violence. A ‘Member of a Terrorist Organization’ is a person who belongs to that organization, including a person who participates in its operations, who publishes propaganda on behalf of a Terrorist Organization or of its operations.”

Pursuant to Section 2 of the above mentioned Ordinance, a person holding, *inter alia*, a position involved in management or instruction in a Terrorist Organization, or involved in the deliberations or the decision making of a Terrorist Organization, is considered to be an activist in such an organization.

The citations appearing above are only one example of the broad and detailed web spread out for us, on the basis of the statements made by the Defendant and his accomplices, on which we relied - a web of facts which properly substantiates the legal conclusion that the foundations for the offenses against Section 2 and 3 of the Ordinance have been properly made, as well as the conclusions that the organizations to which the Defendant and his accomplices belonged are Terrorist Organizations.

In addition to offenses against the [Prevention of] Terrorism Ordinance, which the State imputes to the Defendant in all of the charges set forth in the indictment, it also imputes to him, in all of the charges, offenses against Section 499 of the Penal Code, 5737 - 1977.

The offense of conspiracy basically consists of an agreement between two or more persons to carry out an illegal act. The engagement must be for the purpose of achieving a common goal, and the engagement must be accompanied by the intention of realizing the common goal. The goal intended, as set forth above, is a goal defined by law as illicit.

The web of facts mentioned above also properly substantiates the conclusion that the Defendant committed the offenses against Section 499 of the Penal Code, 5737 - 1977.

The Defendant’s confession with regard to his position, status and activity within the organization to which he belonged - activity was intended to carry out terrorist operations, which

[Stamp] P 5: 260

Felony Case (Tel Aviv) 1137/02

State of Israel v. Nasser Mahmoud Ahmad Aweis

even had murderous and damaging results, as shall be set forth below - is fully supported by an additional, substantial item derived from separate and independent sources: the assertions by each of the accomplices, which - each in its own way - embroil the Defendant in the offenses imputed to him, and which relate to a real point which is in dispute. The supplementary evidence which reinforces the testimony by the accomplices has already been discussed above.

The State has proven the actions which are imputed to the Defendant.

**Count No. 1:**

[Stamp] P 5: 260 [continued]